

The meeting opened at 7:05 p.m. Present were: Anderson, Bevacqua, Jeton, Brown, & Ranalli.

Petition No.: 3744

Petitioner: Andover Public Schools

Premises Affected: 80 Shawsheen rd.

Members: Anderson, Bevacqua, Jeton, Brown, Batchelder

This is a continued public hearing. Joe Piantedosi, of Plant & Facilities, presented the final design for the sign: 5'x7', 2-sided, 7' high (2' off the ground), as outlined in his memo dated 4-17-08. He also gave an overview of the process with DRB that resulted in this final design. He requested approval for external ground lighting. Ann Constantine, DRB Chair, agreed with Piantedosi & took the opportunity to clarify DRB's expanded roles. Craig Gibson, DRB member, presented 2 versions of DRB's final proposals; lower than Piantedosi's with different materials closer to the drive / further from the wall. The Board discussed differences in the signs' setbacks, cost / funding source, lettering, etc. The DRB objects to the height & style of Piantedosi's final design. Anderson asked for Andover Police Department comments. Safety Office Edgerly commented the APD's concerns on the height, size, legibility (retro reflectivity) adding that the location was determined with previous Safety Officer Cronin. The proposed height & location is the best for visibility & traffic safety. There was some discussion on the amount of street lighting in the area. Jeffrey Renton, 97 Shawsheen Rd., submitted a memo he prepared entitled 'Legal Parameters under Dover Amendment' arguing that a permit is required, but the burden is on the Town to demonstrate the hardship for a variance. Renton urged the Board to visit the site noting that when the street lighting is working properly, it is sufficient. There was some discussion of snow banks blocking the proposed sign. Anita Renton, 97 Shawsheen Rd., spoke on behalf of several neighbors & submitted a petition signed by 51 residents in reaction to the first proposal. She urged the Board to approve a modestly designed sign, preferably with granite posts. Carol Soma, 99 Shawsheen Rd., showed pictures depicting the proximity of abutting houses to the entrance voicing concern with the size & lighting. She suggested using the existing wall for a sign. Piantedosi showed the permit for the temporary sign & pictures of High Plain Elementary's sign, which looks like wood. There was more discussion on lighting, dimming it at night & reflective lettering to increase visibility / decrease lighting. Anderson pointed out that there are now three proposed signs (1 by AHS & 2 by DRB). The Board can approve or deny the AHS sign, or approve a sign that looks like the DRB granite-posted sign. There remains a lack of consensus between the Town & DRB. Several Board members commented on the complication of the matter, their preferences for the 3 signs & the need for compromise. Brown suggested continuing the hearing to 5/8/08 for a final revised proposal and asked for a plan depicting the location of the sign to confirm in light of the requested variance from the 25' setback on the corner. Brown made a motion to continue the hearing to 5/8/08. Bevacqua seconded the motion & the Board voted (5-0) to continue the hearing to 5/8/08.

Petition No.: 3740

Petitioner: Northfield Commons

Premises Affected: 69 North St., 5 + 7 Webster St.

Members: Anderson, McDonough, Jeton, Bevacqua, Brown, Ranalli

April 17, 2008

Also present were Attorney John Smolak, Chris Huntress, Dave Murray, Scott Buonopane, Bob & Jeff Engler. Smolak gave an overview of the changes in the past month: decrease to 80 units, pro forma, new NE Fund letter dated 3/18/08, updated architectural, updated site plans with modifications for the 80 units, changes in landscaping plans. Huntress, landscape architect, gave an overview of changes, which he submitted to the Board: screening between abutters & site, fencing along gun club property & Webster St., letters of support from Webster Street abutters, reconfiguration of sfd/duplexes; 6' fence along 63 North Street abutter. The Board asked about other concerns raised by neighbors. Buonopane explained that one did not respond to their request to talk about headlight glare + cut-through on their lot, however it has been addressed. The water easement will remain on 57 North Street. Huntress added that architectural changes included the addition of gables and treatments on the duplexes, garden-entry instead of rear-entry & making the garden style buildings more similar to the sfd/duplexes. A path was added to the right of the sfd's to the mudroom to eliminate the necessity of garage entry. Bob Engler, of SEB, presented the financial pro forma emphasizing that the 40B rules have changed, a 15% minimum profit is necessary to be viable (this project is at 11%) and the maximum profit allowed is 20%. Mike Jacobs, MHJ Associates, presented his peer review of the pro forma. He reminded the Board that the plans & numbers are preliminary & that the key components are cost and revenue. Some things he found of significance were: the land appraisal came in lower than the actual cost, construction costs are at the low end, site cost & landscaping are reasonable, club house cost per sfd is low and that there's not a lot of padding in the construction costs. The soft costs were okay, except that permits & fees seem to be low; the market sales prices were a little conservative in a couple units. Jacobs ended by noting that he came up with a 12% profit & that below 15% is considered uneconomic by HAC's threshold. There was some discussion on the projected sale prices, density, profit, costs, possibility of bankruptcy, & market conditions. David Murray, petitioner, gave an overview of the 5-phase construction plan: phase 1 = clubhouse, mailboxes, road, water main to the center of the site, when 70% is sold, they'll move onto phase 2 = build along North / Webster Streets, when 70% is sold, phase 3 = build along rear by Webster St., phase 4 = center right, phase 5 = far right of site. He added that if 50% of a garden building was sold, they'd start to build it and that the road & infrastructure for the entire site is necessary for financing. There was some discussion about occupancy, counting the units towards the Town's 10% affordable housing, the road's binder course & final, a bond to ensure that the road will be completed, activation of condo association at 70% occupancy, lack of mitigation for traffic in the pro forma, any excess profit going to traffic mitigation, the lot at 57 North St., among other issues. Susan Stott, representative of ACT, asked if there would be an option for ACT to acquire the balance of 57 North Street after the water easement was created. Murray & Buonopane agreed that it would be possible. The Board also discussed an indoor range for the abutting gun club. Smolak noted that it is not in the budget. Chet Howe, gun club representative commented that an indoor range is not feasible. There was some discussion about safety/security and whether a fence would be sufficient. Howe noted that the club has been there for 60 years without incident and without fencing. He asked for an assurance or written notice for potential owners. Murray confirmed that the condo documents and deeds would disclose the gun club's proximity to the dwellings. Anderson suggested not closing the public hearing due to outstanding issues. Jeton made a motion to continue the hearing to 5/8/08. Ranalli seconded the motion & the Board voted (5-0) to continue the hearing to 5/8/08.

The Board approved the 10/11/07 minutes. The meeting adjourned at 9:55 p.m.